



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.state.la.us

March 4, 2009

Steven Linscombe, Chairman
White Lake Property Advisory Board
1373 Caffey Road
Rayne, LA 70578

RE: Ethics Board Docket No. 2009-082

Dear Mr. Linscombe:

The Louisiana Board of Ethics, at its February 20, 2009 Board meeting, considered your request for reconsideration of an advisory opinion regarding whether Section 1124.2.1 of the Code of Governmental Ethics applies to the members of the White Lake Property Advisory Board. You stated that the role of the White Lake Board is advisory only and that the Wildlife and Fisheries Commission must take formal action before the recommendations can take effect. You stated that the White Lake Property Board is an advisory board which counsels the Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission relative to the White Lake Property fund. In a previous request, Donald Puckett, General Counsel for the Department of Wildlife and Fisheries, stated that the White Lake Property Board has the authority to solicit and accept gifts and donations to be deposited in and credited to the White Lake Property Fund. Such funds deposited are to be expended solely and exclusively by the Louisiana Department of Wildlife and Fisheries, the agency is exclusively responsible for the administration, management, and control of the White Lake Property.

The White Lake Property Board was created under La. R.S. 56:799 *et. seq.* LA R.S. 56:799.3 and provides that "the legislature shall make no appropriations from the fund which are *inconsistent with the recommendations of the White Lake Property Advisory Board.*" La R.S. 56:799.6 provides that the Department of Wildlife and Fisheries shall manage, administer, and control the White Lake Property *subject to the recommendations by the White Lake Property Board.* The White Lake Property Fund Financial Report for the 2007-2008 fiscal year showed that the Fund had a budget set for \$965,508 and that \$547,865 of those funds were spent.

EB Docket No. 2009-082
Steven Linscombe, Chairman
March 4, 2009
Page 2

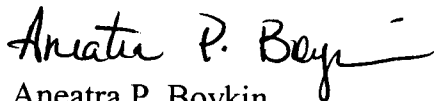
The Board concluded, and instructed me to advise you, that under the Code of Governmental Ethics, the members of the White Lake Property Advisory Board are required to file a financial disclosure statement under Section 1124.2.1 of the Code. Section 1124.2.1 of the Code defines a "state board or commission" as entity created by law or executive order which is made part of the executive branch of state government by the provisions of Title 36, or which is placed in an executive branch department or in the office of the governor or lieutenant governor by law or executive order, or which exercises any authority or performs any function of the executive branch of state government. Each member of a state board or commission which has the authority to expend, disburse, or invest \$10,000 or more funds in a fiscal year shall file a financial disclosure statement.

The White Lake Property Board was created under state law and the budget for the 2007-2008 fiscal year was in excess of \$10,000. While the Department of Wildlife and Fisheries has management, administration, and control of the budget of the White Lake Property Fund, the statutory language provided in La. R.S. 56:799 *et seq.* provides that this authority is subject to and shall not be inconsistent with the recommendations given by the White Lake Property Board. Therefore, Section 1124.2.1 of the Code applies to the members of the White Lake Property Board.

The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS



Aneatra P. Boykin
For the Board

EB:APB